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Paper <sup>27</sup>

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MAILED

YUTAKA KAWAKAMI and  
STEVEN A. ROSENBERG

OCT 4 - 2001

Junior Party,  
(Patent 5,844,075),

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

v.

CRAIG L. SLINGLUFF,  
VICTOR M. ENGELHARD, DONALD F. HUNT,  
JEFFREY SHABANOWITZ, and ANDREA L. COX

Senior Party,  
(Application 08/234,784).

Patent Interference No. 104,587

Before SCHAFFER, LEE, and GARDNER-LANE, Administrative Patent Judges.

GARDNER-LANE, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Slingluff has filed a paper entitled "CONCESSION OF  
PRIORITY" (Paper 50).

In the paper, Slingluff states that it concedes priority of  
the count to Kawakami. Slingluff also states that it requests  
that adverse judgment be entered against Slingluff.

Various preliminary motions were filed in the interference but were subsequently withdrawn (See Papers 47 and 48).


ORDER


Upon consideration of the record of the interference, it is ORDERED that judgment on priority as to Count 1, the sole count in the interference, is awarded against senior party CRAIG L. SLINGLUFF, VICTOR M. ENGELHARD, DONALD F. HUNT, JEFFREY SHABANOWITZ, and ANDREA L. COX;

FURTHER ORDERED that senior party CRAIG L. SLINGLUFF, VICTOR M. ENGELHARD, DONALD F. HUNT, JEFFREY SHABANOWITZ, and ANDREA L. COX, is not entitled to a patent containing claims 35, 38, 53, 60, 66, and 77 of application 08/234,784, which correspond to Count 1; and

FURTHER ORDERED that a copy of this decision be given a paper number and be entered in the administrative records of Kawakami's 5,844,075 patent and Slingluff's 08/234,784 application.

  
RICHARD E. SCHAFER  
Administrative Patent Judge

  
JAMESON LEE  
Administrative Patent Judge

  
SALLY GARDNER-LANE  
Administrative Patent Judge

BOARD OF PATENT  
APPEALS AND  
INTERFERENCES

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